

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ROBERT CRYER,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:08CV39 RWS
)	
MADISON FARM,)	
)	
Defendant.)	

MEMORANDUM AND ORDER OF DISMISSAL

This matter is before me on plaintiff's second failure to appear for the Rule 16 scheduling conference without excuse. On June 6, 2008, after plaintiff failed to appear for the Rule 16 conference, I reset the matter for June 27, 2008 and ordered plaintiff to show cause, in writing, by the same date why he failed to appear for the conference.¹ My June 6, 2008, Order to Show Cause also specifically warned plaintiff that if he failed to appear for the Rule 16 conference on June 27, 2008, his case would be dismissed for failure to prosecute.

Plaintiff failed to appear for the Rule 16 conference as ordered, and a record was made of his non-appearance. Plaintiff also failed to show cause in writing why he failed to appear on June 6, 2008. Because plaintiff failed to appear for his

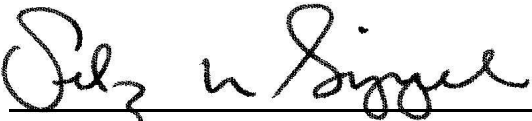
¹The Rule 16 conference had previously been continued twice at the request of plaintiff before June 6, 2008.

Rule 16 conference and comply with this Court's Orders, his case will be dismissed without prejudice.

Accordingly,

IT IS HEREBY ORDERED that this case is dismissed without prejudice.

A separate Order of Dismissal is entered this same date.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 30th day of June, 2008.